

UNITED STATES DISTRICT COURT  
OFFICE OF THE CLERK  
DISTRICT OF MARYLAND

Felicia C. Cannon, Clerk

Reply to Southern Division Address

Jarrett Perlow, Chief Deputy

May 16, 2012

Douglas C. Palmer, Clerk of Court  
U.S. District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Our Case No. 12-2408 JKS  
Your Case No. M11-559  
United States of America vs. Semyon Vayner

Dear Clerk:

Enclosed please find the following documents:

1. Rule 5 documents received from USDC Eastern District of New York
2. Criminal Memo - Initial Appearance
3. Order Setting Conditions of Release
4. Entry of Appearance
5. Receipt for Surrender of Passport
6. Order to Record Agreement to Forfeit Property

Please acknowledge receipt and return to the undersigned.

If you should have any questions, please do not hesitate to contact the undersigned at 301-344-3108.

Sincerely,

Jessica Cubas,  
Deputy Clerk

Received on \_\_\_\_\_ by \_\_\_\_\_

CLOSED

**U.S. District Court  
District of Maryland (Greenbelt)  
CRIMINAL DOCKET FOR CASE #: 8:12-mj-02408-JKS All Defendants \*SEALED\*  
Internal Use Only**

Case title: USA v. Vayner

Date Filed: 05/14/2012

Other court case number: M 11-559 USDC Eastern District  
of New York

Date Terminated: 05/16/2012

Assigned to: Magistrate Judge Jillyn K  
Schulze

**Defendant (1)****Semyon Vayner***TERMINATED: 05/16/2012*represented by **Paul Francis Kemp**

Ethrige Quinn Kemp McAuliffe

Rowan and Hartinger

33 Wood Ln

Rockville, MD 20850

13017621696

Fax: 13017627691

Email: pfk@eqkmrh.com

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Retained***Pending Counts**

None

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

I hereby attest and certify on 05/16/12  
that the foregoing document is a full, true and correct  
copy of the original on file in my office and in my  
legal custody.




FELICIA CANNON  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

By

**Disposition**

Deputy

**Plaintiff****USA**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/14/2012	<u>1</u>	Rule 5(c)(3) Documents Received from the United States District Court Eastern District of New York as to Semyon Vayner (jcs, Deputy Clerk) (Entered: 05/15/2012)
05/14/2012	 <u>2</u>	Initial Appearance in Rule 5(c)(3) Proceedings as to Semyon Vayner held on 5/14/2012 before Magistrate Judge Jillyn K Schulze. (Cubas - 3A) (jcs, Deputy Clerk) (Entered: 05/16/2012)
05/14/2012	<u>3</u>	ORDER Setting Conditions of Release as to Semyon Vayner. Signed by Magistrate Judge Jillyn K Schulze on 05/14/2012. (jcs, Deputy Clerk) (Entered: 05/16/2012)
05/14/2012	<u>4</u>	NOTICE OF ATTORNEY APPEARANCE: Paul Francis Kemp appearing for Semyon Vayner (jcs, Deputy Clerk) (Entered: 05/16/2012)
05/14/2012	<u>5</u>	Receipt for Surrender of Passport as to Semyon Vayner (jcs, Deputy Clerk) (Entered: 05/16/2012)
05/16/2012	 <u>6</u>	Receipt of Agreement to Forfeit Property as to Semyon Vayner (Attachments: # <u>1</u> Attachments)(jcs, Deputy Clerk) (Entered: 05/16/2012)
05/16/2012		(Court only) ***Case Terminated as to Semyon Vayner, ***Terminated defendant Semyon Vayner, pending deadlines, and motions. (jcs, Deputy Clerk) (Entered: 05/16/2012)

SCANNED

FILED ENTERED  
LOGGED RECEIVED

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

MAY 14 2012

UNITED STATES OF AMERICA

AT GREENBELT  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

vs.

BY  
Case No. 12-2408 JKS


DEPUTY

Semyon Vayner

\*\*\*\*\*

**ORDER TO RECORD AGREEMENT TO FORFEIT PROPERTY**

IT IS ORDERED by the United States District Court for the District of Maryland, this day of May 15, 2012, that the Defendant/Surety/Counsel is hereby directed to record the original of the attached Agreement to Forfeit Property to secure performance of a bail bond in the land records of Montgomery County, Maryland on or before the 18<sup>th</sup> day of May 2012, and return the receipt for said recordation to the Clerk of the Court within 48 hours.

  
Jillyn K. Schulze  
United States Magistrate Judge





AO 98 (Rev. 01/09; MD Rev 6/09) Defendant's Appearance Bond

## UNITED STATES DISTRICT COURT

for the  
District of Maryland

United States of America

v.

Semyon Vayner

*Defendant*

Case No. 12-2408 JKS

2012 MAY 15 A 10:54  
FILED  
LORETTA E. KNIGHT  
CLERK'S OFFICE  
MONTGOMERY CO. MD**DEFENDANT'S APPEARANCE BOND AND AGREEMENT TO FORFEIT PROPERTY**

To obtain the defendant's release, we jointly and severally agree to forfeit the following cash or other property to the United States of America if this defendant fails to appear as required for any court proceeding or for the service of any sentence imposed as may be noticed or ordered by any court, or fails to comply with any conditions of release set by the court considering this matter *(describe the cash or other property and any claim, lien, mortgage, or other encumbrance on it)*:

**11100 Welland Street, North Potomac MD 20878 - \$100,000.00 in equity**

*Ownership.* We declare under penalty of perjury that we are the sole owners of this property and that it is not subject to any claim, lien, mortgage, or other encumbrance except as disclosed above. We promise not to sell, mortgage, or otherwise encumber the property, or do anything to reduce its value while this agreement is in effect. We deposit with the court the following ownership documents, including any encumbrance documents *(list all documents and submit as attachments)*:

*Surety Information.* We understand that the court and the United States of America will rely on the surety information in approving this agreement.

*Conditions of Release.* We state that we have either read all court-ordered conditions of release imposed on the defendant or had them explained to us.

*Continuing Agreement.* Unless the court orders otherwise, this agreement remains in effect during any appeal or other review until the defendant has satisfied all court notices, orders, and conditions.

*Exoneration of sureties.* This agreement is satisfied and ends if the defendant is exonerated on all charges or, if convicted, the defendant reports to serve any sentence imposed.

*Forfeiture.* If the defendant fails to obey all conditions of release, court notices, and orders to appear, the court will immediately order the property forfeited and on motion of the United States of America may order a judgment of forfeiture against the signing parties and their representatives, jointly and severally, including interest and costs.

Tax ID: 3371314

AO 98 (Rev. 01/09; MD Rev 6/09) Defendant's Appearance Bond

I swear under penalty of perjury that the above information is true and agree to the conditions of this agreement.

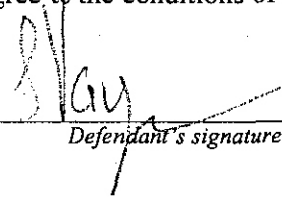
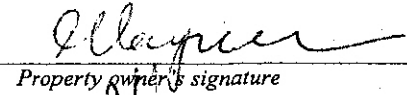
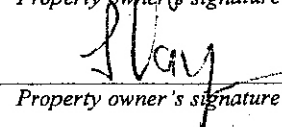
Date: May 15, 2012City and state: Greenbelt MDTAMARA VAYNER

Property owner's printed name

SEMYON VAYNER

Property owner's printed name

Property owner's printed name

  
Defendant's signature  
Property owner's signature  
Property owner's signature

Property owner's signature

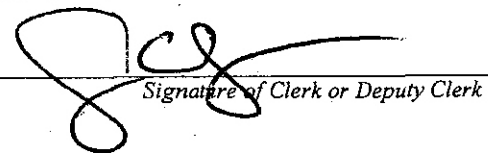
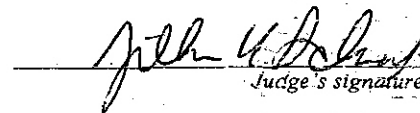
Sworn and signed before me.

Date: May 15, 2012

Approved.

Date: May 15, 2012

CLERK OF THE COURT

  
Signature of Clerk or Deputy Clerk  
Judge's signature

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

vs.

Semyon Vayner

Case No. 12-2408 JKS

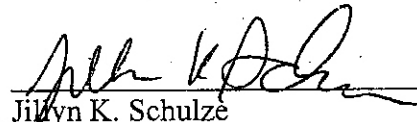
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FILED  
LORETTA E. KNIGHT  
CLERK'S OFFICE  
MONTGOMERY CO. MD

2012 MAY 15 A 10:52

**ORDER TO RECORD AGREEMENT TO FORFEIT PROPERTY**

IT IS ORDERED by the United States District Court for the District of Maryland, this day of May 15, 2012, that the Defendant/Surety/Counsel is hereby directed to record the original of the attached Agreement to Forfeit Property to secure performance of a bail bond in the land records of Montgomery County, Maryland on or before the 18<sup>th</sup> day of May 2012, and return the receipt for said recordation to the Clerk of the Court within 48 hours.

  
Jillyn K. Schulze  
United States Magistrate Judge

NO FEE

38849 448

## AFTER RECORDING MAIL TO:

Jonathan Bromberg, Esquire  
401 N. Washington Street  
Suite 500  
Rockville, Maryland 20850

CASE #: RS10544

PARCEL ID# 06-46-03371314

**THIS DEED**

(NO CONSIDERATION)

MADE this 5<sup>th</sup> day of February, 2010, by and between, **SEMYON VAYNER** and **TAMARA VAYNER**, GRANTORS and **SEMYON VAYNER** and **TAMARA VAYNER**, as husband and wife, Tenants by the Entirety, GRANTEES:

THIS DEED IS TO CHANGE TENANCY ONLY AS THE GRANTOR AND GRANTEE PERSONS ARE IDENTICAL.

**WITNESSETH**, that for no consideration the said GRANTORS, do grant and convey unto **SEMYON VAYNER** and **TAMARA VAYNER**, as husband and wife, *Tenants by the Entirety*, GRANTEES, their heirs and assigns, in fee simple all that piece or parcel of land situate, lying and being in Montgomery County, Maryland, described as follows to wit:

Lot 4, in Block D, in the subdivision known as BIG PINES VILLAGE, as per Plat Book NONE at Plat No. 22142 among the Land Records of Montgomery County, Maryland.

Property Address: 11100 Welland Street, North Potomac, MD 20878

**BEING** the same property described in Liber 25300, folio 319.

**TOGETHER** with the buildings and improvements thereupon erected, made or being, and all and every, the right, alleys, ways, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

**AND** the said GRANTORS covenant that they will warrant specially the property hereby conveyed; and will execute such further assurances of said land as may be requisite.

**AND** the said GRANTORS further state, under the penalties of perjury, that this is a transfer between spouses for estate planning purposes to change name and tenancy only with no consideration being paid and, as such, is an exempt from transfer taxes.

IMP FID SURE	20.00
RECORDING FEE	20.00
TOTAL	40.00
Rept # 56221	
LEK CA	81K # 3249
Feb 10, 2010	12:21 PM

FILED  
LORETTA E. KNIGHT  
CLERK'S OFFICE  
MONTGOMERY CO. MD

2010 FEB 18 P 12:21

2010  
FEB  
18

38849 449

WITNESS my hand and seal.

TEST:

\_\_\_\_\_

Semyon Vayner (SEAL)

\_\_\_\_\_

Tamara Vayner (SEAL)

STATE OF MARYLAND )

COUNTY OF MONTGOMERY )

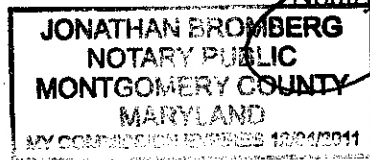
To Wit:

On this 8<sup>th</sup> day of February, 2010, before me, the undersigned officer, personally appeared Semyon Vayner and Tamara Vayner, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires:



THIS IS TO CERTIFY that the foregoing instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

Jonathan Bromberg





**State of Maryland Land Instrument Intake Sheet**  
Information provided is for the use of the Clerk's Office,  
State Department of Assessments and Taxation, and County Finance Office Only.

Approved on: 2/16/2010  
10:48:41 AM

1. Type(s) of Instruments	<input checked="" type="checkbox"/> Deed	<input type="checkbox"/> Mortgage	<input type="checkbox"/> Other
	<input type="checkbox"/> Deed of Trust	<input type="checkbox"/> Lease	<input type="checkbox"/> Other
2. Conveyance Type	<input type="checkbox"/> Arms Length	<input checked="" type="checkbox"/> Not Arms Length	<input type="checkbox"/> Non-spousal/Other
	<input checked="" type="checkbox"/> Not a farm	<input type="checkbox"/> Farm within five years	
3. Tax Exemption (if Applicable)	Recordation State Transfer County Transfer		
Cite or Explain Authority			
4. Consideration and Tax Calculation	Consideration Amount		Finance Office Use Only
	Purchase Price/Consideration \$ 0.00	Transfer (or) Consideration \$ 0.00	
	Any New Mortgage \$ 0.00	Exemption Amount \$ 0.00	
	Balance of Existing Mortgage \$ 0.00	Total Transfer Tax \$ 0.00	
	Other 1 \$ 0.00	Recordation Tax Consideration \$ 0.00	
	Other 2 \$ 0.00	Other Transfer Tax \$ 0.00	
	Full Cash Value \$	TOTAL DUES \$ 0.00	
5. Fees	Amount of Fees		Doc 2
	Recording Charge \$ 20.00	\$ 0.00	Agent
	Surcharge \$ 20.00	\$ 0.00	Tan, Andrew
	State Recordation Tax \$ 0.00	\$ 0.00	Jak Hill
	County Transfer Tax \$ 0.00	\$ 0.00	105 MD
	State Transfer Tax \$ 0.00	\$ 0.00	Old Credit
	Other 1 \$ 0.00	\$ 0.00	for tax/other
	Other 2 \$ 0.00	\$ 0.00	
6. Description of Property SDAT requires submission of all application information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i)	District 08		Property Tax ID No. (1) 03371314
	Parcel No. 03371314		Parcel No. 25300/0319
	Map		Parcel No. 0
	Supervision Name		Doc 36
	046-BIG PINES VILLAGE		Doc 36
	SECTION (3c)		Sq Ft/Acreage (4) 13,430
	Location and Address of Property Being Conveyed (2)		
	11100 WELLAND ST, N POTOMAC, MD 20878-4883		
	Other Property (Identifiers) (if applicable)		Water Meter Account Number
	Residential <input checked="" type="checkbox"/> Non-Residential <input type="checkbox"/>	Fee Simple <input type="checkbox"/> Ground Rent <input type="checkbox"/> None <input type="checkbox"/>	Amount \$ 0.00
	Partial Conveyance ?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If Partial Conveyance, List Improvements Conveyed:		
	Description/Amount of Sq Ft/Acreage Transferred:		
	Doc 1 - Grantor(s) Name(s)		Doc 2 - Grantee(s) Name(s)
7. Transferred From	VAYNER, SEMYON AND TAMARA		
	Doc 1 - Owners of Record (if Different from Grantor(s))		Doc 2 - Owners of Record (if Different from Grantor(s))
	Doc 1 - Grantee(s) Name(s)		Doc 2 - Grantee(s) Name(s)
8. Transferred To	VAYNER, SEMYON AND TAMARA		
	New Owner(s) Grantee(s) Name(s) for Deed of Trust (if applicable)		
	11100 WELLAND ST, N POTOMAC, MD 20878-4883		
9. Other Names to be Indexed	Doc 1 - Additional Names to be indexed (Optional)		Doc 2 - Additional Names to be indexed (Optional)
	Instrument Submitted By or Contact Person		
10. Contact/Mail Information	Name :	Lenore Bromberg	
	Firm :	Bromberg Rosenthal LLP	
	Address :	401 N. Washington Street Suite 300 Rockville, MD - 20850	
	Telephone :	(301)251-8200	
	Hold for Pick up <input checked="" type="checkbox"/> Return to Address Provided <input type="checkbox"/> Return to Contact Person <input type="checkbox"/>		
11. Assessment Information	IMPORTANT: Both the Original Deed and a Photocopy must accompany each transfer.		
	Will the property being conveyed be the grantee's/grantor's (for Deed of Trust) principal residence ? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
	Does transfer include personal property ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	If yes, identify:		
	Was property surveyed ? If yes, attach copy of survey (if recorded, no copy is required) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	Remark: CHANGE OF TENANCY		
	Case Number or File Number: R830644 VAYNER		

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
OFFICE OF THE CLERK**

Felicia C. Cannon, Clerk  
Jarrett B. Perlow, Chief Deputy  
Elizabeth B. Snowden, Chief Deputy

Reply to Southern Division Address

May 16, 2012

**RECEIPT FOR SURRENDER OF PASSPORT**

USA v. Semyon Vayner  
8:12-mj-02408-JKS \*SEALED\*

Received this 14th day of May, 2012 from Semyon Vayner, one passport ending with 2486 issued by the country of United States of America which is being surrendered to the Court as a special condition of the defendant's release. This passport is to be held in the custody of the Court until further ordered. Following the termination of these proceedings, the Clerk will order the destruction of any passport in custody beyond twenty years from date of issuance of the passport.

Very truly yours,

/s/

Felicia C. Cannon  
Clerk, U.S. District Court  
District of Maryland  
prepared by: Jessica Cubas

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLANDSCANNED  
MAY 14 2012

UNITED STATES OF AMERICA

vs.

Semyon Vayner

\*

\*

\*

\*\*\*\*\*

AT GREENBELT  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

BY Case No. 12-24-082JKS DEPUTY

ENTRY OF APPEARANCE IN A CRIMINAL CASE

## TO THE CLERK OF THIS COURT AND ALL PARTIES OF RECORD:

Enter my appearance as counsel in this case for the defendant, Semyon Vayner

I certify that: [check and complete one that applies]

☒ I am admitted to practice in this Court, and my bar number is 1260☐ I am a member in good standing of the bar of the highest court of Maryland + DC

and am familiar with the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, the

Federal Rules of Appellate Procedure and the Local Rules of this Court.

5-14-12  
DatePaul F. Kemp  
Signature of CounselPAUL F. KEMP  
Print Name301-762-1696  
Phone No.

Firm Name

33 WOOD LANE  
AddressROCKVILLE, MD  
City/State/Zip 20850

Fax No.

PFEK@EQKMRH.com  
Email Address

**\*\* NOTE:** Appearance of counsel may be withdrawn only with leave of Court. See Local Rule 201.3. Such leave is liberally granted if sought within 10 days of the defendant's initial appearance in this Court.

(4)



# UNITED STATES DISTRICT COURT

for the  
District of Maryland

**SCANNED**

FILED  
LOGGED  
ENTERED  
RECEIVED

MAY 14 2012

United States of America  
v.

Semyon Vayner  
Defendant

Case No. 12-2408 JKS

BY

AT GREENBELT  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

DEPUTY

## ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant's residence must be approved by the U.S. Pretrial Services Officer (USPTO) supervising the defendant's release and the defendant must advise the court, defense counsel, and the U.S. attorney in writing before any change in address or telephone number.
- (4) The defendant must appear in court as required and must surrender to serve any sentence imposed

The defendant must appear at (if blank, to be notified)

225 Cadman Plaza East  
Brooklyn, NY 11201-1818 on

USDC Eastern District of New York

Place

May 22nd, 2012 10 am

Date and Time

## Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released on condition that:

- ☒ (5) The defendant promises to appear in court as required and surrender to serve any sentence imposed.
- ☐ (6) The defendant executes an unsecured bond binding the defendant to pay to the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in the event of a failure to appear as required or surrender to serve any sentence imposed.

## ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the defendant's appearance and the safety of other persons or the community,

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ☐ (7) The defendant is placed in the custody of (name of person or organization): \_\_\_\_\_ at an address approved by the Pretrial Services Office. The defendant must not change that address without advance approval by the Pretrial Services Office who agrees (a) to supervise the defendant in accordance with all of the conditions of release, (b) to use every effort to assure the defendant's appearance at all scheduled court proceedings, and (c) to notify the court immediately if the defendant violates any condition of release or disappears.

Signed: \_\_\_\_\_  
Custodian or Proxy

Date

Tel. No (only if above is an organization)

3

☒ (8) The defendant must:

- ☐ (a) report to the \_\_\_\_\_, no later than \_\_\_\_\_ telephone number \_\_\_\_\_,
- ☒ (b) report on a regular basis to the supervising officer. The defendant shall promptly obey all reasonable directions and instructions of the supervising officer.
- ☒ (c) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:  
\$100,000.00 - Gaithersburg MD
- ☐ (d) post with the court the following proof of ownership of the designated property, or the following amount or percentage of the above-described sum \_\_\_\_\_
- ☐ (e) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_.
- ☐ (f) maintain or actively seek employment as approved by the U.S. Pretrial Services Officer.
- ☐ (g) maintain or commence an education program.
- ☒ (h) surrender any passport to: Clerk's office COB 05/15/2012
- ☒ (i) obtain no passport. travel documents
- ☒ (j) abide by the following restrictions on personal association, place of abode, or travel:  
Travel restricted to Maryland and Washington, D.C. Metropolitan area, and Eastern District of New York for Court appearances, unless approved in advance by Pretrial Services
- ☒ (k) avoid all contact, directly or indirectly, with any person who is or may become a victim or potential witness in the investigation or prosecution, including but not limited to: \_\_\_\_\_
- ☐ (l) undergo medical or psychiatric treatment: \_\_\_\_\_
- ☐ (m) abide by a curfew from \_\_\_\_\_ to \_\_\_\_\_
- ☐ (n) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
- ☐ (o) refrain from possessing a firearm, destructive device, or other dangerous weapons.
- ☐ (p) refrain from ☐ any ☐ excessive use of alcohol.
- ☐ (q) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- ☐ (r) submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which is (are) required as a condition of release.
- ☐ (s) participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services office or supervising officer considers it advisable.
- ☐ (t) submit to a location monitoring program
- ☐ (i) as directed by the supervising officer; or
- ☐ (ii) restricted to the residence except for employment, education, religious services, medical purposes, substance abuse testing/treatment, mental health treatment, attorney visits, court appearances, or other court ordered obligations; or
- ☐ (iii) restricted to the residence except for medical purposes, court appearances, or other activities specifically approved by the court.
- ☐ (u) Refrain from the use of computer systems, Internet-capable devices and/or similar electronic devices at any location (including employment or educational program) without the prior written approval of the U.S. Probation or Pretrial Services Officer. The defendant shall cooperate with the U.S. Probation and Pretrial Services Office monitoring of compliance with this condition. Cooperation shall include, but not be limited to, participating in a Computer & Internet Monitoring Program, identifying computer systems, Internet-capable devices and/or similar electronic devices the defendant has access to, allowing the installation of monitoring software/hardware at the defendant's expense, and permitting random, unannounced examinations of computer systems, Internet-capable devices and similar electronic devices under the defendant's control.
- ☒ (v) Reside at approved address and do not move unless approved in advance by Pretrial Services
- ☐ (w) \_\_\_\_\_

## ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

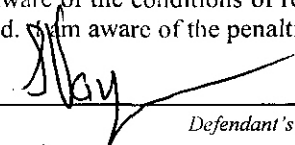
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more - you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years - you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony - you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor - you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

### Acknowledgment of the Defendant

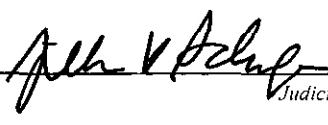
I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
 \_\_\_\_\_  
 Defendant's Signature  
 Gaithersburg Md  
 \_\_\_\_\_  
 City and State

### Directions to the United States Marshal

- ☒ The defendant is ORDERED released after processing.
- ☐ The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: May 14, 2012

  
 \_\_\_\_\_  
 Judicial Officer's Signature  
 Jillyn K. Schulze, United States Magistrate Judge  
 \_\_\_\_\_  
 Printed name and title

## MAGISTRATE JUDGE CRIMINAL MINUTES

**DATE:** May 14, 2012 **JUDGE:** Jillyn K. Schulze **COURTROOM:** 3A  
**TIME:** 3:30pm-3:45pm **INTERPRETER:** None  
**AUSA:** LisaMarie Freitas **DFDT ATTORNEY:** Paul Kemp  
**UNITED STATES OF AMERICA v.** Semyon Vayner  
**CASE NO.** 12-2408 JKS **NO. OF COUNTS:** No. of Counts.  
**DFDT'S AGE:** DFDT'S Age. **YEAR OF BIRTH:** Year of Birth.

☒ **Initial Appearance**

☐ Arraignment

☒ **Rule 5(c)(3) Hearing**

☐ Sentencing

☐ Bail Review/Revocation Hearing

☐ Violation of Probation

☐ Violation of Supervised Release

☐ Detention Hearing

☒ **Defendant to Retain Counsel**

☐ Violation Notice

☐ Indictment

☐ Superseding Indictment

☐ Information

☒ **Complaint**

☐ Preliminary Hearing: \_\_\_\_\_

☐ Preliminary Hearing WAIVED

Defendant arraigned and plead "NOT GUILTY" as to Count(s) \_\_\_\_\_

☒ **Defendant advised of rights to silence and counsel**

☐ Defendant temporarily detained pending detention hearing on \_\_\_\_ / \_\_\_\_ / \_\_\_\_ @ \_\_\_\_

☐ Defendant detained by agreement

☐ Defendant ordered detained after detention hearing

☐ FPD / CJA appointed as counsel

☐ Waiver of Rule 5(c)(3) Hearings

☐ Commitment To Another District

☒ **Order Setting Conditions of Release w/conditions**

☐ Medical Order for Treatment of Detainee entered

☐ Counsel advised to call or go to chambers for dates / given dates in court

Remarks \_\_\_\_\_

\_\_\_\_ Days for Motions. Motions to be filed by \_\_\_\_\_

☐ Trial-Bench/Jury \_\_\_\_\_ day(s) / week(s). Trial week of \_\_\_\_\_

☒ **Pre-trial/Probation Officer** \_\_\_\_\_ **Stephanie D'Amato**

☐ Temporary Order of Detention to U.S. Marshal

☒ **Minute entries docketed.**

**Deputy Clerk:** Jessica Cubas



**SCANNED**

FILED \_\_\_\_\_ ENTERED \_\_\_\_\_  
 LOGGED \_\_\_\_\_ RECEIVED \_\_\_\_\_

**UNITED STATES DISTRICT COURT** MAY 14 2012

EASTERN

DISTRICT OF

NEW YORK

AT GREENBELT  
 PARK, U.S. DISTRICT COURT  
 DISTRICT OF MARYLAND

BY

DEPUTY

UNITED STATES OF AMERICA

v.

**WARRANT FOR ARREST**SEMYON VAYNER otherwise known as  
 "Sam Vayner" and "Semen,"**M 11-559**

CASE NUMBER:

DEFENDANT.

TO: Special Agent Komaal Collie \_\_\_\_\_, and any Authorized United States Official

YOU ARE HEREBY COMMANDED to arrest Semyon Vayner Name \_\_\_\_\_

and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment ☐ Information ☐ Complaint ☐ ☒ Order of Court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

**Impersonating a Diplomat**

In violation of Title \_\_\_\_\_ 18

United States Code, Section(s) <sup>915</sup>

The Hon. Marilyn D. Go

USMJ, Eastern District of New York

Name of Issuing Officer

Title of Issuing Officer

Signature of Issuing Officer

May 27, 2011 Brooklyn, N.Y.

Date and Location

Bail fixed at \$ \_\_\_\_\_

By \_\_\_\_\_

**RETURN**

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

Q